

9 FAM PART IV Appendix O, 1700 VISAS 92 AND VISAS 93

(TL:VISA-281; 05-15-2001)

9 FAM 1701 LEGAL AND PROCEDURAL OVERVIEW AND DEFINITIONS

9 FAM 1701.1 Overview

(TL:VISA-281; 05-15-2001)

a. The INA establishes two different programs whereby persons seeking refugee protection may be permitted to live in the United States. [For the definition of “refugee” per INA 101(a)(42) see *9 FAM PART IV* Appendix O, 201.] Under INA 207, a person outside the United States may be admitted through the U.S. refugee admissions program (the general subject of this Appendix). Under INA 208, a person already in the United States (whether lawfully, e.g., in NIV status, or unlawfully) may apply for asylum [see *9 FAM PART IV* Appendix O, 302].

b. Decisions on whether to grant refugee admission or asylum are made by INS. Accordingly, the adjudication of refugee and asylum cases, including applications for the admission of family members on a derivative basis, is governed by INS regulations in 8 CFR. Nevertheless, consular officers, particularly ones at posts with no INS officer present, are required to assist in processing cases of spouses and children of persons granted asylum or admitted as refugees (VISAS 92 and VISAS 93 cases.) This chapter provides guidance to consular officers on handling such cases. Posts with questions should direct them to CA/VO/F/P, which will coordinate a response with INS as appropriate.

c. INA 207 and 208 both provide for derivative status for the spouse and children of a person granted refugee admission or asylum, respectively, if the spouse or child is “accompanying, or following-to-join,” the principal applicant. The statutory provisions and INS implementing regulations applicable to such cases are different, but reach somewhat similar results:

(1) Refugee cases (VISAS 93): INA 207 provides that, within certain numerical and other constraints, a refugee “may” be admitted to the United States. In contrast to asylum cases, once the principal applicant is approved for admission as a refugee, that person’s spouse or child who is accompanying or following-to-join “shall” be entitled to be admitted on the same basis, unless he or she is subject to exclusion under the second sentence of INA 101(a)(42) (persons who have engaged in persecution) or any of the exclusions in INA 212(a) except (4) (public charge), (5) (labor certification), and 7(A) (documentation). Most of the applicable INA 212(a) ineligibilities may be waived, but no waiver is available for

212(a)(2)(C)(controlled substance traffickers) or for 212(a)(3)(A)(espionage/tech transfer/unlawful activity), (B)(terrorism), (C)(foreign policy), or (E)(Nazi persecution/genocide). In addition, INS's regulations at 8 CFR 207.7 (effective 2/26/98) with respect to when a spouse or child is eligible for "accompanying or following-to-join" status may result in denials of VISAS 93. [See 9 FAM PART IV Appendix O, 1701.8 below.]

(2) Asylum cases (VISAS 92): INA 208 provides that a person determined to be a refugee "may" be granted asylum, and that the spouse or child of an alien granted asylum "may" be granted the same status if accompanying, or following to join, the principal applicant (INA 208(B)(3)). This makes clear that a spouse or child is not automatically entitled to the same status as the principal applicant, but that the grant of derivative status is discretionary. In implementing regulations at 8 CFR 208.19 (effective 2/26/98), INS has excluded from eligibility spouses and children who have committed certain kinds of acts (e.g., persecution, serious crimes) and/or who constitute a danger to the United States, and persons whose relationship to the principal applicant does not meet certain requirements established in furtherance of the "follow-to-join" requirement. [See 9 FAM PART IV Appendix O, 1701.8 below.] Because the grant of status is discretionary, INS may also deny VISAS 92 for other reasons.

d. While the eligibility requirements under INA 207 are not the same as those under INA 208, INA 209, which permits persons granted status under either INA 207 or 208 to apply for lawful permanent resident status, treats all such applicants equally. To adjust status, both refugees and asylees must meet most, but again not all, of the requirements of INA 212(a), unless a waiver is available. Persons being admitted as VISAS 92 or 93 therefore are pre-screened for ineligibilities that could prevent their adjusting status, even if the ineligibilities do not apply to their initial grant of derivative refugee/asylee status.

9 FAM 1701.2 Definitions

(TL:VISA-281; 05-15-2001)

a. VISAS 92 beneficiaries are the spouses and children of persons who have been granted asylum in the United States under INA 208, and who are the subject of an approved Form I-730, Refugee/Asylee Related Petition, petition.

b. VISAS 93 beneficiaries are the spouses and children of persons who have been admitted to the United States as refugees under INA 207, and who are the subject of an approved Form I-730 petition.

c. A spouse is a person who meets the definition of "spouse" in INA 101(a)(35). To be eligible for derivative status, the spouse must also meet timing requirements described in 9 FAM PART IV Appendix O, 1701.4.

d. A child is a person who meets the definition of “child” in INA 101(b). To be eligible for derivative status, the child must also meet timing requirements described in *9 FAM PART IV Appendix O, 1701.4* below.

9 FAM 1701.3 Filing Form I-730s

(*TL: VISA-190; 04-30-1999*)

a. Refugees who enter the United States as principal aliens (as opposed to derivatives accompanying the principal alien), and persons granted asylum in the United States, may file Form I-730 petitions on behalf of their spouse and child(ren) with the INS. The INS Nebraska Service Center, in Lincoln, Nebraska, has primary responsibility for adjudicating Form I-730s. Other INS offices may adjudicate Form I-730 petitions on an emergency basis. There is no fee for filing a Form I-730.

b. Effective February 26, 1998, the petitioner must file a separate Form I-730 for each qualified family member. Petitions filed prior to that date may include several beneficiaries, any one of whom may be processed independently of the others.

9 FAM 1701.4 Criteria for Derivative Status

(*TL:VISA-281; 05-15-2001*)

a. In order to derive status, the VISAS 93 relationship on which the Form I-730 petition is based must have existed at the time of the petitioner’s admission as a refugee, and at the time of the beneficiary’s subsequent admission to the United States. For a VISAS 92 beneficiary, the relationship must have existed at the time the petitioner was granted asylum and when the beneficiary is subsequently admitted to the United States. Children who were in utero at the time of the petitioner’s admission to the United States or the granting of asylum status are eligible for derivative status.

b. VISAS 92 and VISAS 93 beneficiaries remain eligible for derivative status even though the principal alien has adjusted status from refugee or asylee to lawful permanent resident. This eligibility for a grant of derivative status ceases, however, upon the principal alien becoming a U.S. citizen. A principal alien who becomes a U.S. citizen must file Form I-130s to accord his/her relatives status as immediate relatives.

c. More specific information on eligibility for “follow-to-join” status is in *9 FAM PART IV Appendix O, 1701.8b* and *9 FAM PART IV Appendix O, 1701.8c* below.

9 FAM 1701.5 Form I-730 Filing Must Occur Within Two Years of Petitioner's Admission as Refugee or Asylum Grant

(TL:VISA-190; 04-30-1999)

Under INS regulations effective as of February 26, 1998, persons admitted to the United States as refugees or granted asylum on or after February 26, 1998, must file a Form I-730 within two years of their admission as a refugee or granting of asylum. Persons, who entered as refugees or were granted asylum prior to February 26, 1998, must file the Form I-730(s) prior to February 26, 2000.

9 FAM 1701.6 Role of National Visa Center (NVC)

(TL:VISA-190; 04-30-1999)

The NVC receives all approved Form I-730 petitions from INS and forwards the petition to the appropriate post for processing. In time-sensitive cases, such as when a child beneficiary will shortly turn 21 and become ineligible for derivative status, the NVC will send the post a VISAS 92 or VISAS 93 cable to authorize processing, but will not do so in routine cases. Posts are to promptly commence processing a VISAS 92 or VISAS 93 case upon receipt of either a cabled approval notice or the approved Form I-730 from the NVC. For all cases involving the former Soviet Union, the NVC sends notification to the Washington Processing Center, which is responsible for all administrative processing normally done by the consular section and for forwarding cases to Moscow for the INS interview.

9 FAM 1701.7 Beneficiaries Need Not be Refugees

(TL:VISA-281; 05-15-2001)

VISAS 92 and 93 beneficiaries are eligible for derivative status on the basis of their relationship to an asylee or refugee. They are not required to establish eligibility under the first sentence of INA 101(a)(42) (persons either being persecuted or with a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion) or to prove they are not firmly resettled. [See 9 FAM PART IV Appendix O, 200 and 9 FAM PART IV Appendix O, 300.]

9 FAM 1701.8 Ineligibilities

(TL:VISA-190; 04-30-1999)

a. In general: Consular officers must review all VISAS 92 and 93 cases carefully for possible ineligibilities. In most cases in which a possible ineligibility is identified, the consular officer may report the facts and his or her assessment only to the INS District Office abroad with jurisdiction, which will assume responsibility for determining whether a formal INS finding of ineligibility should be made. The consular officer is encouraged, however, also to report to the Department (CA/VO) any case in which the officer believes that the beneficiary may warrant review for possible ineligibility under any of the following grounds: INA 212(a)(2)(C) (controlled substance traffickers); INA 212(a)(3)(A) (espionage/tech transfer/unlawful activity), (B) (terrorism), (C) (foreign policy), or (E) (Nazi persecution/genocide); the second sentence of INA 101(a)(42) (persons who have engaged in persecution). Because of its responsibility for foreign policy, human rights, counternarcotics, and counterterrorism, the Department may choose to review such cases for purposes of making a recommendation to INS or a formal finding under INA 212(a)(3)(C).

b. Refugee cases (VISAS 93): A spouse or child who is accompanying or following-to-join a principal applicant admitted as a refugee "shall" be entitled to be admitted on the same basis unless the spouse or child is:

(1) Subject to the second sentence of INA 101(a)(42), i.e., has "ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion."

(2) Inadmissible under any of the grounds in INA 212(a) except (4) (public charge), (5) (labor certification), and 7(A) (documentation), unless a waiver is granted. No waiver is available for INA 212(a)(2)(C) (controlled substance traffickers) or for INA 212(a)(3)(A) (espionage/tech transfer/unlawful activity), (B) (terrorism), (C) (foreign policy), or (E) (Nazi persecution/genocide).

(3) Ineligible for "accompanying or following-to-join" status under 8 CFR 207.7(b)(effective 2/26/98) because he or she:

(a) Has previously been granted asylee or refugee status;

(b) Is an adopted child who was adopted after the child's 16th birthday or who has not been in the legal custody of and living with the parents for at least two years;

(c) Is a stepchild, if the marriage creating the relationship occurred after the child's 18th birthday;

(d) Is a husband or wife, but was not physically present at the marriage ceremony and the marriage was not consummated (see INA 101(a)(35); or

(e) Is a husband or wife determined by INS to have attempted or conspired to enter into a marriage for the purpose of evading immigration law.

(4) Ineligible under 8 CFR 207.7(c) because the relationship did not exist prior to the principal applicant's admission to the United States and at all relevant times thereafter (i.e., at the time of filing for benefits and as of the time of the spouse or child's subsequent admission to the United States).

If the principal applicant's child was born after the principal applicant's admission as a refugee, the child may still qualify if the child was in utero on the date of such admission, and the child's mother (if not the principal applicant) may qualify if, but only if, she was the principal applicant's spouse on the date of such admission.

c. Asylum cases (VISAS 92): A spouse or child who is accompanying or following-to-join, a principal applicant granted asylum in the United States "may" be granted the same status in discretion (INA 208(b)(3)). In implementing regulations at 8 CFR 208.19 (effective 2/26/98), INS has excluded from eligibility any spouse or child who:

(1) Ordered, incited, assisted, or otherwise participated in the persecution of any persons on account of race, religion, nationality, membership in a particular social group, or political opinion;

(2) Has been convicted by a final judgment of a particularly serious crime in the United States, and constituted a danger to the community of the United States;

(3) Has been convicted of an aggravated felony as defined in INA 101(a)(43);

(4) Is someone as to whom there are reasonable grounds for regarding him or her as a danger to the security of the United States; and

(5) Is ineligible under 8 CFR 208.19(b) because the relationship did not exist prior to the principal applicant's admission to the United States and at all relevant times thereafter (i.e., at the time of filing for benefits and as of the time of the spouse or child's subsequent admission to the United States).

If the principal applicant's child was born after the principal applicant's admission as a refugee, the child may still qualify if the child was in utero on the date of such admission. The child's mother (if not the principal applicant) may qualify, if, but only if, she was the principal applicant's spouse on the date of such admission.

(6) Because the grant of status is discretionary, VISAS 92 may also be denied by INS for other reasons. In rare cases, the Department may wish to recommend denial by INS (e.g., because the spouse was involved in human rights abuses or is of serious foreign policy concern.)

9 FAM 1701.9 Handling Evidence that Petitioner's Refugee or Asylum Claim was Fraudulent or Invalid

(TL:VISA-190; 04-30-1999)

Consular officers do not have the authority to suspend processing of a VISAS 92 or VISAS 93 case in instances where information provided by the beneficiary calls into question the validity of the original decision to grant the petitioner refugee status or asylum. Such cases are to be processed to completion absent concerns about the existence of the required relationship. In cases where there is clear and overwhelming evidence that the petitioner's claim to refugee status or asylum was fraudulent or there were previously unknown grounds of ineligibility or (for asylees) a bar to status, however, the post is encouraged to report the facts of the case to the Department (CA/VO/F/P and either the Bureau of Population, Refugees and Migration (PRM) in VISAS 93 cases, or DRL/ASY in VISAS 92 cases) and to INS HQS (for IAO/Refugee or IAO/Asylum, as appropriate). Only cases which are well documented and clearly demonstrate the likelihood of fraud in the original refugee/asylum claim, or in which it is clear that there was a prior undiscovered ineligibility, are likely to result in the successful revocation of the original grant of refugee status/asylum.

9 FAM 1702 VISAS 92 PROCESSING GUIDELINES

9 FAM 1702.1 VISAS 92 Beneficiaries Not Counted as Refugees

(TL:VISA-190; 04-30-1999)

VISAS 92 beneficiaries (derivative asylees) who are not processed for admission to the United States as refugees, do not count against the annual refugee allocation ceilings, and are not eligible for U.S. Government-funded International Organization for Migration (IOM) travel loans or other processing benefits accorded to refugees.

9 FAM 1702.2 Responsibilities of INS and Consular Sections in VISAS 92 Processing

(TL:VISA-190; 04-30-1999)

At posts with a permanent INS office, INS will interview VISAS 92 beneficiaries and prepare the travel packets. At posts without an INS presence, authority to process VISAS 92 cases is delegated to the consular officer, and the consular section will assume responsibility for preparation of the travel packet. In all cases, the consular section will conduct the CLASS namecheck, as well as any other required namecheck or security advisory opinion, as INS does not have access to the CLASS database.

9 FAM 1702.3 Processing of VISAS 92 Beneficiaries by Consular Officers

(TL:VISA-281; 05-15-2001)

a. Upon receipt of an approved Form I-730 or VISAS 92 cable, the post must contact the beneficiary, advise him or her of documentary requirements and the need for a medical exam, and schedule an interview. Posts may use the Form OF-169 for this purpose, but should cross out all those documents that are not pertinent to a VISAS 92 case (e.g., evidence of financial resources, Form OF-230). Prior to the interview, the beneficiary must submit to a medical exam by the post's panel physician. VISAS 92 beneficiaries are not subject to the INA 212(a)(1)(A)(ii) vaccination requirement, but may choose to undergo a vaccination assessment in preparation for their possible later adjustment of status to lawful permanent resident. VISAS 92 beneficiaries must pay for their medical examinations themselves.

b. A CLASS namecheck must be conducted for all VISAS 92 beneficiaries and, if warranted by the beneficiary's nationality and/or circumstances, a Department namecheck or security advisory opinion may be required. Post should attempt to request any necessary namechecks or security advisory opinions in advance of the scheduled interview, so as to avoid processing delays. In some instances, the SAO/namecheck process may require information that can not be gathered from the Form I-730. Posts are encouraged to conduct preliminary interviews with the VISAS 92 beneficiary in order to obtain such information prior to the final interview to facilitate case processing.

c. A consular officer must interview the VISAS 92 beneficiary to verify identity and relationship to the petitioner, and to determine whether any ineligibilities or bar to status exist [see 9 *FAM PART IV* Appendix O, 1701.8]. Assuming no ineligibilities or bar to status exist, and that the applicant's identity and relationship to the petitioner are clearly established, the post may assemble the travel packet, complete the Form I-94 [see 9 *FAM PART IV* Appendix O, 1502] on behalf of the alien, and issue a transportation letter [see 9 *FAM PART IV* Appendix O, Exhibit III].

9 FAM 1702.4 Preparation of Travel Packet

(*TL:VISA-281; 05-15-2001*)

The travel packet for each VISAS 92 beneficiary consists of *four* parts:

- (1) A large manila envelope containing:
 - (a) Transportation letters [see 9 *FAM PART IV* Appendix O, Exhibit III];
 - (b) An original Form I-730 petition;
 - (c) Copies of all supporting documents presented as verification of the applicant's identity and relationship to the petitioner;
 - (d) An original copy of the Form OF-157 medical exam (with x-rays for applicants age 14 years or older);
 - (e) A Form G-325C, Biographic Information;
 - (f) A Form I-590, Application for Refugee Status*;
 - (g) A G-646, Sworn Statement (concerning exclusion grounds);
 - (h) A print out of CLASS namecheck; and
 - (i) A copy of the security advisory opinion (with VISAS 6 clearance) or namecheck cable, if applicable.
- (2) A separate envelope addressed to: U.S. Public Health Service (USPHS), containing three copies of the Form OF-157 medical exam.
- (3) A separate envelope containing the completed Form I-94 and U.S. Customs declaration.
- (4) A separate envelope containing a transportation letter addressed to the air carrier.

9 FAM 1702.5 Alien Registration Numbers for VISAS 92 Beneficiaries

(TL:VISA-281; 05-15-2001)

If the petitioner is an asylee, the Form I-730 should include the beneficiary's alien ("A") number, which is assigned by the approving INS Service Center. Posts that receive Form I-730s filed on behalf of derivative asylees that lack an "A" number must contact the approving INS Service Center for assignment of an "A" number, after first carefully verifying from the Form I-730 that the petitioner was an asylee, and not a refugee. Form I-730s filed on behalf of derivative refugees do not include an "A" number for the beneficiary. Such numbers must be requested per *9 FAM PART IV Appendix O, 1703.3* below. Since 1997, the INS Lincoln Service Center has assumed centralized responsibility for Form I-730 adjudications, but other INS offices may occasionally approve a Form I-730 on an emergency or humanitarian basis.

9 FAM 1702.6 Confidentiality of Asylum Process

(TL:VISA-190; 04-30-1999)

Consular officers must take care to preserve the confidentiality of the asylum process. The fact that the petitioner of a VISAS 92 case has been granted asylum may not be disclosed to anyone outside the U.S. Government without authorization from the Department.

9 FAM 1703 VISAS 93 PROCESSING GUIDELINES

9 FAM 1703.1 VISAS 93 Beneficiaries Counted as Refugees

(TL:VISA-281; 05-15-2001)

As the spouses and children of persons admitted to the United States as refugees, VISAS 93 beneficiaries are entitled to receive all benefits accorded to refugees, including IOM transportation loans and voluntary agency sponsorships [see *9 FAM PART IV Appendix O, 900; 9 FAM PART IV Appendix O, 1000; 9 FAM PART IV Appendix O, 1100; 9 FAM PART IV Appendix O, 1200; and 9 FAM PART IV Appendix O, 1300*]. Processing of VISAS 93 cases, therefore, follows the same general steps as refugee processing. Admissions of VISAS 93 beneficiaries are counted against the annual worldwide and regional refugee ceilings.

9 FAM 1703.2 Responsibilities in Processing VISAS 93 Cases

(TL:VISA-190; 04-30-1999)

a. Processing of refugee and derivative refugee cases falls under the jurisdiction of the Department of State, although INS maintains responsibility for adjudicating claims to refugee status. In VISAS 93 cases, this means that the consular section or post refugee coordinator will generally be responsible for the administrative processing of each case and, in the absence of an INS officer, may be authorized by INS to conduct the VISAS 93 interview. At a few posts, an INS circuit rider conducts VISAS 93 interviews during regularly scheduled visits, although a consular officer may conduct an interview if so directed. Where present, a joint voluntary agency party to a cooperative agreement with the Department's Bureau of Population, Refugees and Migration (PRM) may assume responsibility for all administrative processing of a case, other than the CLASS namecheck and transmission of any required security namecheck or security advisory opinion cable.

b. The following guidelines pertain in cases where a post's consular section assumes responsibility for all stages of VISAS 93 processing.

9 FAM 1703.3 Request for Alien Number and Interview Authorization

(TL:VISA-281; 05-15-2001)

Upon receipt of an approved Form I-730 or a VISAS 93 cable from NVC, post must request an alien number for the derivative refugee from the overseas INS District Office with jurisdiction [see *9 FAM PART IV* Appendix O, 701 for the locations and jurisdictions of INS District Offices]. Unless post will be visited by an INS circuit rider, the request for an alien number should include a request that INS authorize a consular officer to conduct the VISAS 93 interview.

9 FAM 1703.4 Notification to Refugee Data Center

(TL:VISA-281; 05-15-2001)

a. Following receipt of the beneficiary's alien number from INS, post sends a biodata message and request for voluntary agency (VOLAG) assurance to the Refugee Data Center (RDC). Such requests may be sent by cable, using the routing indicator "RDCICMC 200 Park Ave. South," or by facsimile to (212) 529-2262. The request should be in the format provided in *9 FAM PART IV* Appendix O, Exhibit IV, with the subject line reading: "RDC Biodata—Request for VOLAG Assurance, VISAS 93 Case."

b. When posts receive multiple Form I-730s filed by a single petitioner on behalf of multiple family members, posts should cross-reference the family members or combine their cases into a single file for purposes of notifying RDC to request VOLAG assurances. This will help alert RDC to obtain sponsorship for the family group from a single sponsor rather than to obtain different sponsors for individuals who are members of the same family group.

c. See *9 FAM PART IV* Appendix O, 1003.2 and *9 FAM PART IV* Appendix O, 1004 concerning receipt of VOLAG assurances.

9 FAM 1703.5 Other Post Actions

(*TL:VISA-281; 05-15-2001*)

a. Following receipt of a Form I-730 or VISAS 93 cable, post must conduct a CLASS namecheck for each beneficiary age 16 or over and request any required Department namechecks or security advisory opinions [see *9 FAM PART IV* Appendix O, 1702.3(b)].

b. Posts must contact VISAS 93 beneficiaries and provide them with instructions on undergoing the medical examination. As refugees, VISAS 93 beneficiaries are eligible to have the cost of their medical examinations paid for through the International Organization for Migration (IOM) which receives funding for this purpose from PRM. At posts where there is no IOM office, medical examinations paid by post can be reimbursed by IOM/Geneva [see *9 FAM PART IV* Appendix O, 903]. At posts where there is a local IOM office, the consular officer is to contact the local IOM representative regarding reimbursement or prepayment.

c. Posts must also attempt to notify VISAS 93 beneficiaries of the documentary requirements for verifying their identity and relationship to the petitioner. Posts may use the Form OF-169 for this purpose, but should cross out all those documents not pertinent to a VISAS 93 case (e.g., evidence of financial resources, Form OF-230).

d. At posts without an INS office and not routinely visited by an INS circuit rider, a consular officer interviews the VISAS 93 beneficiary to verify the individual's identity and relationship to the petitioner. This interview is to take place as early in the process as possible, but, generally, after the beneficiary has undergone the medical exam. The post need not have received VOLAG assurance on behalf of the beneficiary prior to the interview.

e. If the interviewing consular officer determines that the VISAS 93 beneficiary is ineligible [see *9 FAM PART IV* Appendix O, 1701.8 b above], the consular officer must suspend processing of the case and seek guidance from the INS District Office abroad with jurisdiction. Such requests for guidance must indicate whether a waiver is recommended and provide appropriate justification. Consular officers are also encouraged to notify the Department (CAVO) in these cases and in those cases described in *9 FAM PART IV* Appendix O, 1701.8(a) above.

9 FAM 1703. 6 Preparation of Travel Packet

(*TL:VISA-281; 05-15-2001*)

The VISA 93 beneficiary's travel packet is composed of three parts:

- (1) A large manila envelope containing:
 - (a) Transportation letters [see *9 FAM PART IV* Appendix O, Exhibit II];
 - (b) Sponsorship assurance;
 - (c) An original Form I-730 petition [see *9 FAM PART IV* Appendix O, 1701.1];
 - (d) Copies of all supporting documents presented as verification of applicant's identity and relationship to petitioner;
 - (e) An original Form OF-157 medical exam (with x-rays for applicants age 14 years or older);
 - (f) A Form I-590, application for refugee status;
 - (g) A G-325C, biographic information;
 - (h) G-646, sworn statement on exclusion grounds;
 - (i) A print out of CLASS namecheck; and
 - (j) A copy of the security advisory opinion (with VISAS 6 response) or security namecheck, if applicable.
- (2) A separate envelope containing three copies of the Form OF-157 medical exam, addressed to USPHS.
- (3) A separate envelope containing the completed Form I-94 and U.S. Customs declaration.

9 FAM 1703.7 Request for Refugee Admissions Number

(TL:VISA-190; 04-30-1999)

a. Posts that process limited numbers of refugees or VISAS 93 cases are to request refugee admissions numbers for each beneficiary by cable from the INS office abroad with jurisdiction over the case. In the cable requesting the admissions number(s) include the name, sex, date and place of birth of each beneficiary, as well as relationship of each beneficiary to the principal alien in the United States. The cable must also state that the name check, sponsorship assurance, and medical screening have been completed.

b. Posts which process large numbers of refugees or VISAS 93 cases may obtain blocks of refugee admissions numbers from the INS office abroad with jurisdiction. Unused numbers must be returned at the end of each month.

9 FAM 1703.8 Providing Travel Data

(TL:VISA-190; 04-30-1999)

Posts must provide the travel itinerary of VISAS 93 beneficiaries to the overseas INS office with jurisdiction over the case prior to the departure of a VISAS 93 beneficiary, with information copies to the Department, the U.S. Mission in Geneva, and the RDC. This information must be provided regardless of whether the beneficiary's transportation will be provided by IOM loan or whether the applicant is a self-payer. This cable should include the following information:

- (1) Names of the petitioner and the beneficiary;
- (2) Number of persons in the case;
- (3) Case number;
- (4) Alien registration number(s);
- (5) VOLAG sponsoring the case; and
- (6) Projected departure date and arrival information.

9 FAM 1703.9 Confidentiality of Refugee Process

(TL:VISA-190; 04-30-1999)

Consular officers must take care to preserve the confidentiality of the refugee process. The fact that the petitioner of a VISAS 93 case has been granted refugee status may not be disclosed to anyone but a U.S. Government official or contractor having a need to examine the information in connection with the processing of the VISAS 93 case.